

ASSEMBLY BILL

No. 1242

Introduced by Assembly Member Arambula

February 22, 2005

An act to add Section 12301.22 to the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1242, as introduced, Arambula. In-home supportive services: provider timesheets.

Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Existing law permits services to be provided under the IHSS program either through the employment of individual providers, a contract between the county and an entity for the provision of services, the creation by the county of a public authority, or a contract between the county and a nonprofit consortium.

Existing law requires the City and County of San Francisco to implement a pilot project of not less than 3 years' duration to implement the provision of pooled services for the IHSS program through a modified delivery system in no more than five HUD-subsidized senior housing facilities owned by nonprofit organizations. Existing law requires the department, in conjunction with the county, to develop a provider timesheet and daily log to track the work performed by providers under the pilot project to ensure appropriate provider payment and to track the work provided for each consumer back to the consumer's authorization.

This bill would require the State Department of Social Services to develop and distribute to counties a similar, standardized provider timesheet and daily log, and would require use of the timesheet and daily log by all counties. The bill would require the timesheet and daily log to contain a legal verification to be signed by the provider verifying under penalty of perjury that the information provided by the provider is true and correct.

By increasing duties of counties administering the IHSS program, and by changing the definition of perjury, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 12301.22 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 12301.22. (a) The department shall develop and distribute to
- 4 counties a standardized provider timesheet and daily log, which
- 5 shall be used to track the work performed by providers, to ensure
- 6 appropriate provider payment and to track the work provided for
- 7 each consumer back to the consumer's authorization.
- 8 (b) The timesheet and daily log shall contain a legal
- 9 verification to be signed by the provider verifying under penalty
- 10 of perjury that the information provided by the provider is true
- 11 and correct.
- 12 SEC. 2. No reimbursement is required by this act pursuant to
- 13 Section 6 of Article XIII B of the California Constitution for
- 14 certain costs that may be incurred by a local agency or school
- 15 district because, in that regard, this act creates a new crime or

1 infraction, eliminates a crime or infraction, or changes the
2 penalty for a crime or infraction, within the meaning of Section
3 17556 of the Government Code, or changes the definition of a
4 crime within the meaning of Section 6 of Article XIII B of the
5 California Constitution.

6 However, if the Commission on State Mandates determines
7 that this act contains other costs mandated by the state,
8 reimbursement to local agencies and school districts for those
9 costs shall be made pursuant to Part 7 (commencing with Section
10 17500) of Division 4 of Title 2 of the Government Code.

11

O